

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD  
INTERCHANGE FEE AND MERCHANT  
DISCOUNT ANTITRUST LITIGATION**

**Case No. 05-md-01720 (MKB) (JO)**

**This Document Applies to:**

**ORAL ARGUMENT REQUESTED**

***Target Corp., et al. v. Visa Inc., et al.*, No. 13-cv-05745 (E.D.N.Y.) (MKB) (JO).**

**DEFENDANTS' NOTICE OF MOTION TO EXCLUDE  
THE OPINIONS OF DAVID P. STOWELL**

PLEASE TAKE NOTICE that, upon the accompanying (1) Defendants' Memorandum in Support of the Motion to Exclude the Opinions of David P. Stowell and (2) Transmittal Declaration of Gary Carney in Connection with Defendants' Motions to Exclude Certain Opinions of Dennis Carlton, Robert Harris, Jerry Hausman, Robert Hutchins, Mansour Karimzadeh, Reto Kohler, Stephen Mott, Stephen Rowe, Joseph Stiglitz, and David Stowell, and exhibits attached thereto, the undersigned Defendants will move this Court on a date and time to be designated by the Court, in the United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201-1818 for an Order pursuant to Federal Rules of Evidence 702 and 703 to exclude the opinions of Professor David P. Stowell, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that Defendants request oral argument of this motion.

Dated: June 1, 2020  
New York, New York

Respectfully submitted,

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Association), Visa U.S.A. Inc., and Visa  
Inc.<sup>1</sup>*

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<sup>1</sup> Arnold & Porter Kaye Scholer LLP is counsel to the Visa defendants as to all plaintiffs in the *Target* action except for J. C. Penney Corporation and The TJX Companies, Inc. and related entities.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of June, 2020, I caused to be served a true and correct copy of the foregoing notice of motion and memorandum in support to be served on all counsel in the above-referenced action via FTP, per the parties' prior agreement.

/s/ Matthew A. Eisenstein

Matthew A. Eisenstein